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### REMARKS

Claims 1-26 and 29 remain pending in the application. Claims 1, 13, 25, and 26 are independent claims. By this amendment, claims 1, 7, 13, 25, and 26 are amended. No new matter is added because the above amendments are fully supported by the specification and drawings. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

#### ***Allowable Subject Matter***

Applicants appreciate the indication that claims 27-29 contain allowable subject matter, and that these claims would be allowable if rewritten to include all the limitations of the base claim and any intervening claims.

#### **35 U.S.C. §112 Rejection, Second Paragraph**

Claims 8 and 9 stand rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

In particular, the Examiner indicates that claim 8 is indefinite in that it recites that the emissive layer includes a hole injecting layer and a light emitting layer, whereas claim 1 recites that the hole injecting layer is not formed between the emissive layer and the anode.

In this regard, Applicants direct the Examiner's attention to page 9, line 15, that sets forth that:

...the emissive layer 3 may include a hole injecting layer formed, for example, of N,N'-di(naphthalene-1-yl)-N,N'-diphenyl-benzidine and a light-emitting electron conducting layer formed, for example, of 8-hydroxyquionoline aluminum.

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Accordingly, claim 1 is accurate in that a hole injecting layer is not formed between the anode and the emissive layer. For example, as shown in figure 2, layer 3 is an emissive layer and layer 2 is an anode layer. As further shown in figure 2, there is no hole injecting layer between layers 2 and 3. To the contrary, the emissive layer includes a hole injecting layer and a light emitting electron conducting layer. In this regard, the emissive layer may include a hole injecting layer and a light emitting electron conducting layer, but the hole injecting layer is not formed between the anode and the emissive layer.

Accordingly withdrawal of the rejection of claims 8 and 9 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

***Claim rejections under 35 U.S.C. § 103(a)***

Applicants traverse the rejection of claims 1, 2, 4, 5, 8-11, and 25 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,652,067 issued to Ito, *et al.* ("Ito"); traverse the rejection of claims 13, 14, 16, 17, 20-23, and 26 under 35 U.S.C. § 103(a) as being unpatentable over Ito; traverse the rejection of claims 12 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Ito in view of Japanese Patent No. JP 09-082476 to Kaneko *et al.* ("Kaneko"); traverse the rejection of claims 3 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Ito in view of U.S. Patent No. 5,837,391 to Utsugi *et al.* ("Utsugi"); and traverse the rejection of claims 6, 7, 18, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Ito in view of U.S. Patent Application No. 2003/0170491 to Liao *et al.* ("Liao").

While Applicants do not acquiesce that the combination of features recited in the above-noted claims are rendered unpatentable over the applied art of record, in order to expedite prosecution of the present application, Applicants have canceled claims 27 and 28 and rewritten the subject matter of these objected claims into independent claims 1, 13, 25, and 26.

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Applicants assert that the cancellation of the above-noted claims should not be considered a surrender of the subject matter therein. Moreover, Applicants expressly reserve the right to refile the subject matter of the claims as originally filed in a future prosecution.

Applicants respectfully assert that pending claims 1-26 and 29 are allowable at least for the reason that the Examiner has indicated that they contain allowable subject matter.

***Claim Amendments***

Additionally, a minor amendment has been made to claim 7 in order to improve the language thereof. In particular, Applicants note that it appears that "T" was dropped from the claim inadvertently during submission of the last filed response. This amendment corrects this inadvertent error. In this amendment, Applicants have made changes to the language of the claim to render the same more self consistent, as well as more fully in compliance with U.S. syntax, idiom and grammar. This amendment does not change the scope of the claim but is merely a cosmetic change that give rise to no file wrapper estoppel.

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### CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **Deposit Account No. 23-1951 (McGuireWoods)**.

Respectfully Submitted,

  
Hae-Chan Park  
Reg. No. 50,114

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**McGuireWoods LLP**  
1750 Tysons Boulevard  
Suite 1800  
McLean, VA 22102-4215  
Tel: 703-712-5365  
Fax: 703-712-5280

HCP/JSH/jmp